

PATENT



(Docket No. IN-5538)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Uwe MEISENBURG et al.

Serial No.: 09/926,532

Filed: November 16, 2001

Group Art Unit: 1711

Examiner: Susan W. Berman

For: Coating Material That Can Be Cured Thermally or By Actinic Radiation, and Its Use

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that the attached correspondence comprising:

| | |
|---|----------------------------------|
| X | Information Disclosure Statement |
| X | From PTO-1449 |
| X | Cited References |

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Marjorie Ellis

(type or print name of person certifying)

(Certificate of Mailing under 37 CFR 1.8(a) [8-2])

PATENT



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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicant(s) submit(s) herewith patents, publications, or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner.

- ☒ Submitted herewith is Form PTO-1449 (Modified) listing patents, publications, or other information for consideration by the Office.

COPIES PROVIDED:

- ☒ Legible copies of all items listed on Form PTO-1449 accompany this information statement, except as indicated below:
- ☐ Legible copies of all items listed on Form PTO-1449 accompany this information statement, except Copies of U.S. patents, patent applications, and publications as indicated below:
- ☐ Under 35 U.S.C. §120, this application relies on the earlier filing date of prior application Serial No. [], filed on []. The following references were submitted to and/or cited by the Office on this prior application and are therefore not required to be provided in this application:
- ☐ In accordance with 37 C.F.R. §1.98(c), a copy of only [] is being submitted with this Information Disclosure Statement, and is cumulative of the following patents or publications listed on Form PTO-1449:

Information Disclosure Statement
Page 3

- ☐ Submitted herewith is an English language version of a search report listing information not in the English language and indicating the degree of relevancy found by the European Patent Office, in satisfaction of the requirement (under 37 C.F.R. §1.98(a)(3)) for a concise explanation of the relevance of non-English information.
- ☐ A concise explanation of the relevance of the following listed non-English language information is included as presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information as set forth below:
- ☐ A concise explanation of the relevance of the following listed non-English language information is set forth in the above-identified specification:

CERTIFICATION:

- ☐ The Information Disclosure Statement transmitted herewith is being filed **within** three (3) months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b). Accordingly, it is believed that no certification or fee is due.
- ☒ The Information Disclosure Statement transmitted herewith is being filed **after** three (3) months of the filing date of the application or the date of entry into the national stage of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but **before** the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, whichever occurs first. Accordingly, I hereby certify that:
- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**
- ☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **OR**
- ☒ Applicant elects the option to pay the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under 37 C.F.R. §1.97(c). Please charge the **\$180.00** IDS submission fee to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.
- ☐ The Information Disclosure Statement transmitted herewith is being filed **After a Final Action** under 37 C.F.R. §1.113, or **After a Notice of Allowance** under 37 C.F.R. §1.311, whichever occurs first, but **Before Payment of the Issue Fee**. Accordingly, I hereby certify that:
- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**
- ☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **AND**

Information Disclosure Statement
Page 4

☐ Applicant hereby petitions for consideration of this Information Disclosure Statement; 37 C.F.R. §1.97(d)(2)(ii). Please charge the petition fee of **\$130.00** to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.

The Commissioner is authorized to charge BASF Corporation Deposit Account No. 23-3425 for any additional fees due hereunder.

Reg. No.: **42,906**



SIGNATURE OF ATTORNEY and DATE

Michael F. Morgan **Date** 9-15-2003

Type or print name of attorney

BASF Corporation

26701 Telegraph Road

P.O. Address

Southfield, Michigan 48034-2442

Tel. No.: (**248**) **948-2355**

Customer No. **26922**

FORM PTO-1449
(MODIFIED)US DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Atty. Docket No. IN-5538

LIST OF ART CITED BY APPLICANT
(Use sever of sheets if necessary)

In re Application of: MEISENBURG et al.

Serial No.: 09/926,532

Filed: 11/16/2001

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U.S. PATENT DOCUMENTS

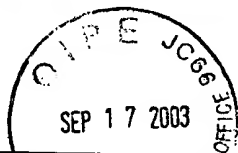
| Examiner Initial | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|-----------------|----------|----------------------|-------|----------|-------------------------------|
| | 2003/0083397 | 5/1/03 | Bradford et al. | 522 | 173 | 8/28/01 |
| | 2003/0078316 | 4/24/03 | Bradford et al. | 522 | 126 | 8/28/01 |
| | 2003/0078315 | 4/24/03 | Bradford et al. | 522 | 126 | 8/28/01 |
| | 2003/0077394 | 4/24/03 | Bradford et al. | 427 | 407.1 | 4/28/01 |
| | 4,013,806 | 3/22/77 | Volkert et al. | 427 | 54 | 12/4/73 |
| | 4,025,407 | 5/24/77 | Chang et al. | 204 | 159.14 | 11/4/74 |
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| | 4,377,457 | 3/22/83 | Boeckeler et al. | 204 | 159.16 | 11/21/80 |
| | 4,415,604 | 11/15/83 | Nativi | 427 | 54.1 | 11/12/82 |
| | 4,424,252 | 1/3/84 | Nativi | 428 | 209 | 1/3/84 |
| | 4,481,093 | 11/6/84 | Murphy et al. | 204 | 159.19 | 9/30/83 |
| | 4,526,939 | 7/2/85 | Lewarchik et al. | 525 | 438 | 7/18/83 |
| | 4,532,021 | 7/30/85 | Murphy et al. | 204 | 159 | 5/7/84 |
| | 4,607,084 | 8/19/86 | Morris, | 525 | 454 | 12/16/85 |
| | 4,618,632 | 10/21/86 | Su | 522 | 43 | 2/7/85 |
| | 4,634,602 | 1/6/87 | Sirkoch et al. | 427 | 44 | 1/2/86 |
| | 4,675,234 | 6/23/87 | Sachs et al. | 428 | 328 | 5/17/85 |
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| | 4,786,657 | 11/22/88 | Hammer et al. | 522 | 90 | 7/2/87 |
| | 4,952,612 | 8/28/90 | Brown-Wensley et al. | 522 | 25 | 8/28/87 |
| | 4,985,340 | 1/15/91 | Palazzotto et al. | 430 | 270 | 6/1/88 |
| | 5,013,631 | 5/7/91 | Su | 430 | 271 | 3/3/89 |
| | 5,153,101 | 10/6/92 | Meire et al. | 430 | 281 | 6/13/90 |
| | 5,234,970 | 8/10/93 | Kyle | 522 | 96 | 12/20/91 |
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| | 5,409,740 | 4/25/95 | Brann | 427 | 513 | 12/18/92 |
| | 5,425,970 | 6/20/95 | Lahrman et al. | 427 | 493 | 5/6/93 |
| | 5,453,451 | 9/26/95 | Sokol | 522 | 42 | 3/29/93 |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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FORM PTO-1449
(MODIFIED)US DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Atty. Docket No. IN-5538

LIST OF ART CITED BY APPLICANT
(Use sever of sheets if necessary)

In re Application of: MEISENBURG et al.

Serial No.: 09/926,532

Filed: 11/16/2001

FOREIGN PATENT DOCUMENTS

| Examiner initial | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATED | |
|---------------------|---|-----------------|----------|---------|-------|----------|------------|----|
| | | | | | | | YES | NO |
| | ✓ | CA2 073 115 | 92.07.03 | CA | C08L | 075/14 | X | |
| | | CA2 079 498 | 92.09.30 | CA | B05D | 003/06 | X | |
| | ✓ | EP 0 594 068 | 15/10.93 | EP | C09D | 201/02 | X | |
| | ✓ | EP 0 594 071 | 15.10.93 | EP | C09D | 201/02 | X | |
| | ✓ | EP 0 594 142 | 20.10.93 | EP | C08L | 57/12 | X | |
| | ✓ | EP 0 753 358 | 04.07.96 | EP | B05D | 1/00 | X | |
| | ✓ | EP 0 844 286 | 23.12.97 | EP | C09D | 5/03 | X | |
| | ✓ | EP 0 401 892 | 25.05.90 | EP | C09D | 167/06 | X | |
| | ✓ | GB 1 583 412 | 12.08.77 | GB | C08F | 226/02 | X | |
| | ✓ | WO 02/10292 | 7.2.02 | WO | C09D | 4/06 | X | |
| | ✓ | WO 94/10211 | 11.05.94 | WO | C08F | 8/30 | X | |
| | ✓ | WO 94/10212 | 11.05.94 | WO | C08F | 8/30 | X | |
| | ✓ | WO 94/10213 | 11.05.94 | WO | C08F | 8/30 | X | |
| | ✓ | WO 02/074872 | 26.09.02 | WO | C09D | 175/04 | | X |
| | ✓ | WO 98/20047 | 14.05.98 | WO | C08F | 2/06 | X | |
| | ✓ | DE38 28 098 | 08.03.90 | DE | C08G | 77/58 | | X |
| | ✓ | DE40 11 045 | 10.10.91 | DE | B05D | 7/02 | | X |
| | ✓ | DE40 20 316 | 09.01.92 | DE | C09D | 183/04 | | X |
| | ✓ | DE40 25 215 | 13.02.92 | DE | C08G | 59/50 | | X |
| | | DE198 26 715 | 28.01.99 | DE | C07C | 69/54 | X | X |
| | ✓ | DE199 20 799 | 16.11.00 | DE | C09D | 175/00 | | X |
| | ✓ | DE199 20 801 | 16.11.00 | DE | B05D | 7/24 | | X |
| | ✓ | DE199 30 665 | 11.01.01 | DE | C09D | 125/02 | | X |
| | ✓ | DE199 30 664 | 11.01.01 | DE | C09D | 125/02 | | X |
| | ✓ | DE199 30 067 | 11.01.01 | DE | C09D | 133/04 | | X |

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
|---|---|
| ✓ | English Abstract for DE3828098 from EPO, 1990-03-04 |
| ✓ | English Abstract for DE4011045 from EPO, 1991-10-09 |
| ✓ | English Abstract for DE4020316 from EPO, 1992-01-09 |
| ✓ | English Abstract for DE4025215 from EPO, 1992-02-19 |
| ✓ | English Abstract for JP06-286008 from EPO, 1994-10-11 |
| ✓ | Allard, et al., USSN 10/009,394 filed 10/25/01 |
| ✓ | English Translation for DE 198 26 715 |
| ✓ | USSN 10/470,863, filed 07/31/03 |
| ✓ | USSN 10/018,351, filed 12/07/01 |
| ✓ | USSN 10/018,352, filed 12/07/01 |
| ✓ | USSN 10/018,703, filed 12/13/01 |
| ✓ | USSN 10/454,056, filed 06/04/03 |
| ✓ | USSN 10/018,106, filed 10/30/01 |
| ✓ | Aaron LOCKHART, Bayer Polymers, Pittsburgh, PA, dated June 9-11, 2003 |

EXAMINER

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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Group Art Unit: 1711

Examiner: Susan W. Berman

I hereby certify that the attached correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, PO BOX 1450, Alexandria, VA 22313-1450, on the date shown below.

9-15-03

Date

Marjorie Ellis

Marjorie Ellis

DISCUSSION OF CITED ART

The applications listed below are copending with each other. The art cited to date is believed to be all of the art that was discussed in the background of each application, cited in a search report for a corresponding application for each application, and/or cited in an office action for each application.

| Serial No. | Filing Date | Inventors | Docket No. | Examiner Assigned |
|------------|-------------|-------------------|------------|-------------------|
| 09/926,532 | 11-16-01 | Meisenburg et al. | IN-5538 | Susan Berman |
| 09/940,748 | 08-28-01 | Bradford et al. | IN-5475 | Susan Berman |
| 09/941,118 | 08-28-01 | Bradford et al. | IN-5518 | Susan Berman |
| 09/941,283 | 08/28/01 | Bradford et al. | IN-5520 | Susan Berman |
| 09/941,295 | 08-28-01 | Bradford et al. | IN-5519 | Unassigned |
| 10/009,394 | 11-01-02 | Allard et al. | IN-5531 | Unassigned |
| 10/018,106 | 10-30-01 | Allard et al. | IN-5528 | Unassigned |
| 10/454,056 | 06-04-03 | Balch et al. | IN-5674 | Unassigned |
| 10/470,863 | 07-31-03 | Baumgart et al. | IN-5704 | Unassigned |

Should the Examiner have any questions about the above remarks, the undersigned attorney would welcome a telephone call.

Respectfully submitted,

Michael F. Morgan
Michael F. Morgan, Esq. (Reg. No. 42,906)
(248) 948-2355

BASF Corporation
26701 Telegraph Road
Southfield, MI 48034-2442

Date: 15 September 2003

- ☐ Application Serial No. [] was published as Publication No. []. The Bibliographic information for this publication is correct, but the abstract, specification, and claims are not those of []. Therefore, the bibliographic page for Publication No. [] is provided with a copy of the specification as filed for [].

FOREIGN LANGUAGE DOCUMENTS

- ☐ There are no foreign language documents listed on Form PTO-1449.
- ☐ The following non-English language references were cited in the specification. The English language equivalents for these references are being submitted in substitution for the non-English references.
- ☒ English language abstract for the following non-English references are enclosed.

| |
|-----------|
| DE3828098 |
| DE4011045 |
| DE4020316 |
| DE4025215 |

- ☒ Submitted herewith is an English translation of the following foreign language patents, publications or information or of portions of those patents, publications or information considered to be material:

| Cited | English Equivalent |
|--------------|--------------------|
| DE10113884.9 | 10/470,863 |
| WO02074872 | |
| DE19518392 | 6,159,556 |
| DE19613547 | 5,965,213 |
| DE19814471 | 6,344,501 |
| DE19920799 | 10/018,106 |
| DE19920801 | 10/009,394 |
| DE19930067 | 10/018,703 |
| DE19930664 | 10/018,352 |
| DE19930665 | 10/018,351 |
| DE4222294 | 5,601,878 |
| EP540884 | CA2079498 |
| EP568967 | 5,425,970 |
| EP596460 | CA2073115 |
| WO9222615 | 5,691,419 |
| WO9422969 | 5,716,678 |

- ☐ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.
- ☐ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith: